

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 1:10 CR 395
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
BRENDA MOORE,)	<u>ORDER ACCEPTING PLEA</u>
)	<u>AGREEMENT, JUDGMENT AND</u>
)	<u>REFERRAL TO U. S. PROBATION</u>
Defendant)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Greg White, regarding the change of plea hearing of Brenda Moore, which was referred to the Magistrate Judge with the consent of the parties.

On September 16, 2010, the government filed a four count Indictment, charging Defendant Brenda Moore, with Theft of Mail by a Postal Employee in violation of Title 18 United States Code, Section 1709; and Delay or Destruction of Mail or Newspaper in violation of Title 18 United States Code, Section 1703(b). Defendant Moore was arraigned on September 23, 2010, and entered a plea of not guilty to counts 1-2, 3-4 before Magistrate Judge William H. Baughman, Jr. On November 10, 2010, Magistrate Judge Greg White, received Defendant Moore's plea of guilty to count 3 of the Indictment and issued a Report and Recommendation

(“R&R”) concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge’s R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge’s R&R is adopted. Defendant Brenda Moore is found to be competent to enter a plea and to understand her constitutional rights. She is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Moore is adjudged guilty to Count 3 of the Indictment, in violation of Title 18 United States Code, Section 1703(b). This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on February 9, 2011, at 10:00 a.m. in Courtroom 19-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.

CHIEF JUDGE

UNITED STATES DISTRICT COURT

December 9, 2010